

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO.2000-427-C - ORDER NO. 2000-978
DECEMBER 4, 2000

IN RE:	Application of Sigma Networks)	ORDER GRANTING
	Telecommunications, Inc. for a Certificate of)	LEAVE TO WITHDRAW
	Public Convenience and Necessity to Provide)	APPLICATION
	Competitive Facilities-Based Local Exchange)	
	and Intrastate Interexchange)	
	Telecommunications Services Within the)	
	State of SC.)	

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This matter comes before the Public Service Commission of South Carolina on the Motion to File Testimony Out of Time filed by the South Carolina Telephone Coalition ("SCTC"). As will be evident from the discussion below, the SCTC's Motion is moot.

On August 21, 2000, Sigma Networks Telecommunications, Inc. ("Sigma") filed with the Commission an application seeking a certificate of public convenience and necessity to provide competitive local exchange and intrastate interexchange telecommunications services within the State of South Carolina. Thereafter, a Notice of Filing concerning Sigma's application was prepared by the Commission Staff, and Sigma duly published the Notice of Filing as required by the Commission's Executive Director. Pursuant to the Notice of Filing, the SCTC filed a Petition to Intervene in the proceedings and, thereafter, was made a party of record in the proceedings. On September 12, 2000,

the Commission issued Order No. 2000-758 in which the Commission established dates for prefilng of testimony and exhibits in this docket.

On November 17, 2000, the SCTC filed with the Commission a Motion to File Testimony Out of Time. By its Motion, the SCTC advised the Commission that due to oversight it had neglected to file testimony on or before the November 16, 2000, prefile deadline established by Order No. 2000-758. SCTC states that upon discovering the oversight, counsel for SCTC prepared testimony, faxed a copy to Sigma's counsel, and filed the instant Motion, along with the original testimony and the requisite copies of the testimony, with the Commission on November 17, 2000. SCTC offers that no harm has been caused to Sigma by the delay and requests that the Commission grant its Motion to File Testimony Out of Time.

Prior to the Commission considering SCTC's Motion, counsel for Sigma requested leave of the Commission to withdraw its application without prejudice and with leave to refile. Counsel for Sigma states that the request to withdraw the application is dictated by Sigma's business plans and by the statutory deadline for action by the Commission on applications for local telecommunications services.

Upon consideration of the matters before the Commission, the Commission finds that the request of Sigma to withdraw its application without prejudice should be granted. Based upon the representations of Sigma, the Commission finds that Sigma's business plans and the statutory deadline by which the Commission must make a decision on the application require that Sigma withdraw the application. As the Commission has granted

Sigma's request to withdraw its application, the SCTC's Motion is rendered moot, and the Commission need not rule on the SCTC's Motion.

IT IS THEREFORE ORDERED THAT:

1. Sigma's request for leave to withdraw its application without prejudice and with leave to refile is granted.
2. SCTC's Motion to File Testimony Out of Time is moot.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)